

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Rule making related to independent study

The Iowa Board of Respiratory Care and Polysomnography hereby amends Chapter 262, “Continuing Education for Respiratory Care Practitioners and Polysomnographic Technologists,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code chapters 148G and 152B and section 272C.2.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 148G and 152B and section 272C.2.

Purpose and Summary

These amendments allow licensees to earn more hours toward license renewal via independent study. The current rules only allow licensees to earn 10 of the 24 hours required for renewal via independent study. The amendments increase to 12 the number of hours licensees can earn via independent study.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 30, 2019, as **ARC 4259C**. A public hearing was held on February 19, 2019, at 8 a.m. in the Fifth Floor Board Conference Room 526, Lucas State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received.

The amendments to Chapter 262 remain the same as noticed. The amendments to Chapter 265 that were proposed in the Notice, relating to telehealth visits, have not been adopted because the Board decided further review of the Board’s rules and scope would be necessary before moving forward with changes to Chapter 265.

Adoption of Rule Making

This rule making was adopted by the Board on May 21, 2019.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Professional Licensure Division are subject to the waiver provisions accorded under 645—Chapter 18.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on July 24, 2019.

The following rule-making actions are adopted:

ITEM 1. Amend paragraph **262.2(1)“a”** as follows:

a. For respiratory care practitioner licensees: complete a minimum of 24 hours of continuing education. ~~Fourteen~~ Twelve of the 24 hours of continuing education shall be earned by completing a program in which the instructor conducts the class in person or by employing an electronic technology that allows for real-time communication between the instructor and licensee.

ITEM 2. Amend paragraph **262.2(1)“b”** as follows:

b. For respiratory care and polysomnography practitioner licensees: complete a minimum of 24 hours of continuing education. ~~Fourteen~~ Twelve of the 24 hours of continuing education shall be earned by completing a program in which the instructor conducts the class in person or by employing an electronic technology that allows for real-time communication between the instructor and licensee. At least 8 hours but not more than 12 hours shall be on sleep-related topics.

ITEM 3. Amend paragraph **262.2(1)“c”** as follows:

c. For polysomnographic technologist licensees: complete a minimum of 24 hours of continuing education. ~~Fourteen~~ Twelve of the 24 hours of continuing education shall be earned by completing a program in which the instructor conducts the class in person or by employing an electronic technology that allows for real-time communication between the instructor and licensee.

ITEM 4. Amend **645—Chapter 262**, implementation sentence, as follows:

These rules are intended to implement Iowa Code section 272C.2 and ~~chapter~~ chapters 148G and 152B and 2015 Iowa Acts, House File 203, sections 7 to 14 [Iowa Code chapter 148G].

[Filed 5/22/19, effective 7/24/19]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/19/19.